

Date Signed:  
June 9, 2014



SO ORDERED.

A handwritten signature in black ink, appearing to read "R. Faris", is written over a horizontal line.

Robert J. Faris  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF HAWAII**

In re GENERAL INVESTMENTS,  
INC.,

Debtor.

Case No. 12-00745  
Chapter 11

Re: Docket No. 176, 203, 229

**MEMORANDUM OF DECISION ON MOTION TO DISMISS AND  
PROFESSIONAL FEE APPLICATIONS**

Susan K. Weiss has objected to certain pending motions. I will cancel the hearing on the motions and applications<sup>1</sup> and grant them.

General Investments, Inc., the debtor in this case, leased land in Waikiki and subleased fractional interests in it to the owners of apartments in the Waikiki Skyliner condominium project. General Investments filed this case because the fee simple owners of the land were attempting to terminate General Investments' lease.

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<sup>1</sup> LBR 9021-1(b).

General Investments has settled its dispute with the fee owners by surrendering its interest in the property to the fee owner, subject to the apartment subleases, in exchange for certain promised payments.<sup>2</sup> General Investments has also paid all timely filed prepetition claims.<sup>3</sup> The only matters that remain to be addressed in this case are the turnover of certain funds claimed by General Investments, the approval of professional fees, and dismissal of the case.

General Investments filed a motion to dismiss this case and fee applications for its counsel and its accountant. Susan K. Weiss objected to the motion to dismiss.<sup>4</sup> No one else has responded to the motion or applications.

Ms. Weiss makes a number of allegations and complaints about her condominium association, the Association of Apartment Owners of the Waikiki Skyliner (AOAO). She takes issue with the fact that the AOAO has raised her assessments, which has had an adverse impact on her and other seniors living on fixed incomes. In addition, she complains about her cable television service, the condition of the property, and excessive legal fees the AOAO has incurred.

The bankruptcy court's power is limited to proceedings under the

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<sup>2</sup> Dkt. 171.

<sup>3</sup> Dkt. 199.

<sup>4</sup> Dkt. 183, 196, 244.

Bankruptcy Code, proceedings arising under the Bankruptcy Code or arising in a bankruptcy case, and proceedings related to a bankruptcy case.<sup>5</sup>

The bankruptcy court does not have jurisdiction to decide Ms. Weiss' complaints. All of her complaints concern the AOA and its management decisions. None of them states a claim for relief against General Investments. None of her contentions has anything to do with this bankruptcy case. If her contentions have merit, she must assert them in another forum.

Therefore, I will grant the motion to dismiss and approve and allow both fee applications as filed. Counsel for General Investments is directed to submit appropriate orders forthwith.

### **END OF DECISION**

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<sup>5</sup> 28 U.S.C. § 157(b).